

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



EXECUTIVE ORDER S-13-10

WHEREAS due to the destruction caused by wildfires beginning on July 26, 2010, I have proclaimed a State of Emergency to exist in the County of Kern; and

WHEREAS these fires caused harm to people and property, burned approximately 18,000 acres, damaged or destroyed numerous homes and other structures, forced evacuations, and caused damage to resources and watershed; and

WHEREAS these fires caused the loss of valuable personal and business records; and

WHEREAS the people who lost or sustained damage to their homes, property, businesses or places of employment, may need to obtain or replace important government records such as certificates of birth, death, fetal death, or marriage, as well as marriage dissolution records, driver's licenses, identification cards, vehicle registration certificates, and certificates of title, in order to obtain assistance from federal, state and local governmental agencies, make claims for and collect insurance, find new employment, and for other purposes related to losses suffered in the fire; and

WHEREAS those who need to obtain or replace important government records to mitigate their losses and rebuild their lives as a consequence of the fires require immediate assistance from state and local governmental agencies to replace those records; and

WHEREAS existing law requires the Office of Vital Records of the Department of Public Health, along with local registrars, county recorders and county clerks, to impose fees upon persons requesting copies of certificates of birth, death, fetal death, marriage, and marriage dissolution records; and existing law requires the State Department of Motor Vehicles to impose fees upon persons requesting replacement driver's licenses, identification cards, vehicle registration certificates, and certificates of title; and

WHEREAS existing law requires the State Department of Motor Vehicles to impose late fees on persons who are late in renewing their vehicle registration or late in transferring ownership of a vehicle; and

WHEREAS the local government public safety agencies budgets have been further impacted by the unanticipated costs of responding and recovering from the fires; and

WHEREAS Local Assistance Centers can assist with the coordination of aid and expedite disaster assistance to those affected by an emergency.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, including the Emergency Services Act and in particular Government Code sections 8567 and 8571, do hereby issue this Executive Order, effective immediately, to mitigate the effects of the emergency due to the wildfires in the County of Kern:

1. The provisions of Health and Safety Code sections 103525.5 and 103625, and the provisions of Penal Code section 14251, requiring the imposition of fees, are hereby suspended with regard to any request for copies of certificates of birth, death, fetal death, marriage, or marriage dissolution records by any resident of Kern County who suffered a loss of a family member, or who suffered loss or damage to property, business, or employment, as a result of the wildfires. Copies of such records shall be provided to such persons without charge.

2. The provisions of Vehicle Code sections 9265(a), 9867, 14901, 14902 and 15255.2, requiring the imposition of fees, are hereby suspended with regard to any request for replacement of a driver's license, identification card, vehicle registration certificate or certificate of title by any resident of Kern County who suffered a loss of such documents as a result of the wildfires. A replacement driver's license, identification card, vehicle registration certificate, or certificate of title shall be provided to such persons without charge.

3. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title, are hereby suspended with regard to any registration or transfer of title by any resident of Kern County who suffered a loss of such registration or title documents as a result of the wildfires. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.

4. The California Emergency Management Agency (Cal EMA) shall coordinate assistance programs offered by all relevant federal, state and local agencies and departments, including, but not limited to, the California Conservation Corps, the Department of Public Health, the Department of Health Care Services, the Department of Mental Health, the Department of Social Services, the Department of Consumer Affairs, the Department of the Highway Patrol, the Department of Forestry and Fire Protection, the Department of Veterans Affairs, the Department of Aging, the Department of Transportation, the Department of Insurance, Department of Housing and Community Development, and California Volunteers.

5. Cal EMA shall provide financial assistance to the local agencies and non-profit organization, as eligible, under the California Disaster Assistance Act.

6. All State agencies with responsibility, regulatory authority, or expertise related to recovery efforts in connection with these fires shall cooperate fully and act expeditiously in coordination with the California Resources Agency and the California Environmental Protection Agency, to facilitate the mitigation of the effects of the fires and the environmental restoration of the affected areas.

7. State agencies shall, as necessary for the protection of public health and the environment, assist local governments to enter into contracts and arrange for the procurement of materials, goods, and services necessary to quickly remove dangerous debris, repair damaged resources, and restore and protect the impacted watershed. Because strict compliance with the provisions of the Government Code and the Public Contract Code applicable to state contracts would prevent, hinder, or delay these efforts, applicable provisions of those statutes, including, but not limited to, advertising and competitive bidding requirements, are suspended to the extent necessary to address the effects of the fires.

8. The Department of Forestry and Fire Protection, the California Department of Corrections and Rehabilitation, and the California Conservation Corps, shall use employees, corps members, inmate and ward labor, where appropriate, to protect public health, safety, and water quality on public lands or where otherwise requested by private property owners.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order shall be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th Day of August 2010.


ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State